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**NEW POWER PLASMA and  
DOES 1-10 inclusive**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MKS INSTRUMENTS, INC.,  
  
Plaintiff,  
  
v.

NEW POWER PLASMA and DOES 1-10,  
inclusive  
  
Defendants.

Case No.: C 09-02297 JSW (JL)  
**STIPULATION AND [PROPOSED]  
ORDER FOR EXTENSION**

IT IS HEREBY STIPULATED by and between MKS Instruments, Inc. (“MKS Instruments”) and New Power Plasma Co., Ltd. (“New Power Plasma”) (collectively the “Parties”) that the time to achieve final documentation of the settlement terms decided upon during the Settlement Conference, held on February 16, 2010 before the Honorable James Larson, Magistrate, is extended through and including April 7, 2010. The Parties have been using all reasonable best

1 efforts to agree on the terms of the license agreement, and assert that additional time is necessary  
2 to continue and complete negotiations.

3  
4 DATED: March 18, 2010

/s/ Chris Sullivan  
Attorney for Plaintiff  
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17  
18 DATED: March 18, 2010

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1 IT IS SO ORDERED:

2  
3 March 18, 2010

4 Date

  
UNITED STATES MAGISTRATE JUDGE  
DISTRICT